

### REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the present amendments and following discussion, is respectfully requested.

Claims 1-15, 17-28, 49, 50, and 53-64 are pending; Claims 1, 3, 8, 10, 15, 19, 20, 22, 25, 26, 27, 49, and 50 are amended; Claims 29-48, 51, and 52 were previously canceled; Claim 16 is presently canceled; and Claims 53-64 are newly added. It is respectfully submitted that no new matter is added by this amendment, as support for these amendments may be found, for example, in Figures 3A-3C, 4B, 15L, 21J, and 22, as well as Figures 9, 10A-10C, 11A-11D, 12, 13A-13C, 14, 15L, 18, 19A-19C, and 20, as well as in the non-limiting description in the specification at page 13, lines 8-13, page 15, lines 17-22, page 31, line 4 – page 32, line 15, page 43, line 10 – page 44, line 25, and page 55, line 17 – page 56, line 10.

In the outstanding Office Action, Claims 1-28 were rejected under 35 U.S.C. § 102(e) as anticipated by Yonekubo (U.S. Pat. No. 6,470,115); and Claims 49 and 50 were rejected under 35 U.S.C. § 103(a) as unpatentable over Yonekubo.

With regard to the rejection of Claims 1-28 under 35 U.S.C. § 102(e) as anticipated by Yonekubo, that rejection is respectfully traversed. Likewise, the rejection of Claims 49 and 50 under 35 U.S.C. § 103 is also traversed.

Claims 1, 8, and 49 relate to a light transmitting member including a first surface and a second surface, where the first surface is provided with depressions and irradiated by light. This configuration improves efficiency of incidence of light from the light source into a light transmitting member.<sup>1</sup>

Claims 15, 22, and 50 relate to changing a value of a contact area, in which the light transmitting material is in contact with the second surface of the light transmitting member,

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<sup>1</sup> Specification, page 15, lines 17-22.

among at least three values. Since the contact area correlates with color tone, the display devices of Claims 15, 22, and 50 are capable of displaying at least three tones. In other words, the display devices of Claims 15, 22, and 50 may display grayscale images.

Yonekubo relates to an optical switching element and image display device. As illustrated in Figure 10 of Yonekubo, the optical switching element 1 includes a light guide 21 as a light transmitting member. However, the light guide 21 of Yonekubo does not include a first surface which is provided with depressions and irradiated by light, as recited in Claims 1, 8, and 49.

Moreover, as is illustrated in Figure 1 of Yonekubo, the optical switching element 1 of Yonekubo causes only a thin film 40 to deform, and not the light guide 21 or the transparent electrodes 31 and 35. Therefore, according to Yonekubo, it is not possible to change a value of a contact area, in which a total reflection surface 32 is in contact with an extraction surface 36, among at least three values, as recited in Claims 15, 22, and 50.

Yonekubo further describes that the optical switching element 1 includes a light guide 21 serving as a light guide body (light guide unit) having high light transmittance and made of glass or transparent plastic, unlike Claims 18, 25, 57-59, and 61-63.<sup>2</sup> The light guide 21 of Yonekubo of the optical switching element 1 also supports the entire transparent electrode 31 and a thin film 40 supports the entire transparent electrode 35, which is distinct from Claims 61 and 63. The total reflection surface 32 and the extraction surface 36 of the optical switching element 1 of Yonekubo are flat, unlike Claims 58 and 62.

Accordingly, Applicant respectfully submits that Claims 1-15, 17-28, 49, 50, and 53-64 patentably distinguish over Yonekubo. It is therefore respectfully requested that the outstanding rejections under 35 U.S.C. § 102(e) and 35 U.S.C. § 103(a) be withdrawn.

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<sup>2</sup> Yonekubo, col. 5, lines 39-42.

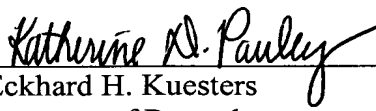
Consequently, in view of the foregoing discussion and present amendments, it is respectfully submitted that this application is in condition for allowance. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

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